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|   |             |                                       | CASCA, FRED A       |                  |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|  | Application No.   | Applicant(s)   |  |  |  |
|--|---|--|--|--|--|
|  | 10/788,714  | GUNARATNAM ET AL.  |  |  |  |
| Office Action Summary  | Examiner  | Art Unit   |  |  |  |
|  | Fred A. Casca   | 2617   |  |  |  |
| The MAILING DATE of this communication app<br>Period for Reply   | ears on the cover sheet with the c  | orrespondence address  |  |  |  |
| A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication.  If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). | ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE | N. nely filed the mailing date of this communication. D (35 U.S.C. § 133). |  |  |  |
| Status   |   |  |  |  |  |
| 1) Responsive to communication(s) filed on 19 Ap   | Responsive to communication(s) filed on 19 April 2007.  |  |  |  |  |
| •—   | ,— ·  |  |  |  |  |
| ,  | Since this application is in condition for allowance except for formal matters, prosecution as to the merits is   |  |  |  |  |
| closed in accordance with the practice under E   | x parte Quayle, 1935 C.D. 11, 45  | 53 O.G. 213.   |  |  |  |
| Disposition of Claims  |   |  |  |  |  |
| 4) ⊠ Claim(s) <u>1-3,5-9,11-15,17-19,24 and 25</u> is/are 4a) Of the above claim(s) is/are withdray 5) □ Claim(s) is/are allowed. 6) ⊠ Claim(s) <u>1-3,5-9,11-15,17-19,24 and 25</u> is/are 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or  | vn from consideration.  |  |  |  |  |
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| Application Papers   |   |  |  |  |  |
| 9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) accomplicated any not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Example.  | epted or b) objected to by the liderawing(s) be held in abeyance. See ion is required if the drawing(s) is obj  | e 37 CFR 1.85(a).<br>jected to. See 37 CFR 1.121(d).                       |  |  |  |
| Priority under 35 U.S.C. § 119   |   |  |  |  |  |
| 12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of:  1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the priority application from the International Bureau * See the attached detailed Office action for a list   | s have been received. s have been received in Applicati rity documents have been receive u (PCT Rule 17.2(a)).  | on No<br>ed in this National Stage   |  |  |  |
| Attachment(s)  1) Notice of References Cited (PTO-892)   | 4)  Interview Summary   | (PTO-413)  |  |  |  |
| <ul> <li>2) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)</li> <li>Paper No(s)/Mail Date</li> </ul>   | Paper No(s)/Mail Da   |  |  |  |  |

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed April 19, 2007 has been entered.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-3, 5-9, 11-15, 17-19, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johannesson et al (WO 02/069661 A2), in view of Zhao (US 2005/0059397 A1).

Referring to claim 1, Johannesson discloses a method of selecting a communication network by a mobile station associated with a home communication network having a home mobile country code (MCC) (page 2, lines 14-28, and page 4, lines 14-20), the method comprising:

selecting and operating with a communication network having a visiting MCC different from the home MCC of the home communication network (page 1, lines 16-18, "mobile station

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scanning for a PLMN other than the registered PLMN (RPLMN) which is presently serving the mobile station, Figures 3-5, and page 5, lines 4-25, "select a better PLMN", "MCC list", "PLMNs within other countries", note that the a different network (with better service) would inherently have a different MCC than the home communication network);

setting and running a periodic home network timer while operating with the communication network having the visiting MCC (page 1, lines 14-22 and page 6, lines 22-23, "PLMN selection", "scanning for a PLMN other than the registered PLMN (RPLMN) which is presently serving the mobile station. This selection of a PLMN . . . by expiration of a home public land mobile network (HPLMN) timer", "a preferred public land mobile network of the mobile station 10 (for example, a home PLMN)", note that a PLMN timer is used to search for a preferred network and the preferred network is e.g., a home PLMN, thus the scanning process for home PLMN takes place while operating with a non-home PLMN (the communication network having the visiting MCC) );

after each expiration of <u>the periodic home network timer</u> (page 1, lines 18-22 and page 6, lines, 27-29, "reselection of a PLMN by a mobile station is initiated by the mobile . . . or by expiration of a home public land mobile network (HPLMN) timer", "Expiration of the HPLMN timer causes the mobile station to search", Further note that the applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant's remarks));

scanning to identify a plurality of communication networks in a coverage area within which the mobile station is operating (page 4, lines 4-21, "scan and search for a better PLMN . . . upon . . . expiration of the HPLMN timer");

if the home communication network having the home MCC is identified as being available by the scanning, selecting and operating with the home communication network (Figure 4, and page 6, lines 18-30, "once the preferred PLMN is found, the mobile station changes to the preferred PLMN at step 70", "a preferred public land mobile network of the mobile station 10 (for example, a home PLMN)", note that once a preferred public land mobile network of the mobile station 10, e.g., a home PLMN associated with one of the provided mobile country codes is identified, the mobile station searches for the home PLMN by scanning for the PLMN, and selects and operates with the home communication network (HPLMN)),

and otherwise, if the communication network having the visiting MCC is identified as being available by the scanning, selecting and operating with the communication network having the visiting MCC (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a PLMN (PLMN B), and later when the home PLMN becomes available, it selects the home-PLMN. Further note that non-home network having the visiting MCC is inherently identified by the scanning as described on page 6 (mobile station receives at step 55 the mobile country codes of neighboring countries).

Johannesson does not specifically disclose receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks.

Zhao discloses receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks (paragraph

0045, "scanning . . . performed . . . which receives a system identification (SID), a Mobile Country Code (MCC), and Mobile Network Code (MNC)").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Johannesson by incorporating the teachings of Zhao and consequently providing receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks, motivation being for the purpose of allowing the selection process to compare the list of MNC and MCC pairs and accurately identify the home MCC network.

Referring to claim 2, the combination of Johannesson/Zhao discloses the method of claim 1, and further disclose the home MCC is associated with a first country and the visiting MCC is associated with a second country which shares a border with the first country (Johannesson, Figures 1 and 5, and page 2, lines 1-10).

Referring to claim 5, the combinations of Johannesson/Zhao disclose the method of claim 1, and further disclose the communication networks comprise Public Land Mobile Networks (PLMNs) (Figures 1-5, and page 2, lines 18-28).

Referring to claim 6, the combinations of Johannesson/Zhao discloses the method of claim 1, and further disclose the communication networks are operative in accordance with Global Systems for Mobile Communications (GSM) (page 3, lines 20-30).

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Referring to claim 7, Johannesson discloses a mobile station associated with a home communication network having a home Mobile Country Code (MCC) (page 2, lines 14-28, and page 4, lines 14-20), the mobile station comprising a wireless transceiver, an antenna coupled to the wireless transceiver, one or more processors coupled to the wireless transceiver (figure 2, page 2, lines 18-28, page 6, lines 18-31, "control logic", "mobile station receives", note the mobile station communicate through a wireless network, hence it comprises a wireless transceiver, an antenna coupled to the wireless transceiver, one or more processors coupled to the wireless transceiver so that selection process is taken place according to the decisions outlined by the processor);

said one or more processors being configured to select a communication network through which to communicate by (Figures 3-4, and page 5, lines 4-25, page 6, lines 18-31, "Control logic . . . the mobile station change to the preferred PLMN");

selecting and operating with a non-home communication network having a visiting MCC different from the home MCC of the home communication network (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a non-home PLMN (PLMN B), and further note that the a different network (with better service) would inherently have a different MCC than the home communication network);

setting and running a periodic home network timer while operating with the communication network having the visiting MCC (page 1, lines 14-22 and page 6, lines 22-23, "PLMN selection", "scanning for a PLMN other than the registered PLMN (RPLMN) which is

public land mobile network (HPLMN) timer", "a preferred public land mobile network of the mobile station 10 (for example, a home PLMN)", note that a PLMN timer is used to search for a preferred network and the preferred network is e.g., a home PLMN, thus the scanning process for home PLMN takes place while operating with a non-home PLMN (the communication network having the visiting MCC));

after each expiration of <u>the periodic</u> home network timer (page 1, lines 14-23 and page 6, lines, 27-29, "the search could be initialed by a timer", Further note that the applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant's remarks));

scanning to identify a plurality of communication networks in a coverage area within which the mobile station is operating (page 4, lines 4-21, "scan and search for a better PLMN");

if the home communication network having the home MCC is identified as being available by the scanning, selecting and operating with the home communication network (Figure 4, and page 6, lines 18-30, "once the preferred PLMN is found, the mobile station changes to the preferred PLMN at step 70", note that once a preferred public land mobile network of the mobile station 10, e.g., a home PLMN associated with one of the provided mobile country codes is identified, the mobile station searches for the home PLMN by scanning for the PLMN, and selects and operates with the home communication network (HPLMN)); and otherwise, if the communication network having the visiting MCC is identified as being available by the scanning selecting and operating with the communication network having the visiting MCC (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home

PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a non-home PLMN (PLMN B), and later when the home PLMN becomes available, it selects the home-PLMN. Further note that non-home network having the visiting MCC is inherently identified by the scanning as described on page 6 (mobile station receives at step 55 the mobile country codes of neighboring countries)).

Johannesson does not specifically disclose receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks.

Zhao discloses receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks (paragraph 0045, "scanning . . . performed . . . which receives a system identification (SID), a Mobile Country Code (MCC), and Mobile Network Code (MNC)").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Johannesson by incorporating the teachings of Zhao and consequently providing receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks, motivation being for the purpose of allowing the selection process to compare the list of MNC and MCC pairs and accurately identify the home MCC network.

Referring to claim 8, the combination of Johannesson/Zhao discloses The mobile station of claim 7, and further disclose the home MCC is associated with a first country and the visiting

MCC is associated with a second country which shares a border with the first country (Figures 1 and 5, and page 2, lines 1-10).

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Referring to claim 11, the combination of Johannesson/Zhao discloses the mobile station of claim 7, and further disclose the communication networks comprise Public Land Mobile Networks (PLMNs) (Figures 1-5, and page 2, lines 18-28).

Referring to claim 12, the combination of Johannesson/Zhao discloses the mobile station of claim 7, and further disclose the communication networks are operative in accordance with Global Systems for Mobile Communications (GSM) (page 3, lines 20-30).

Referring to claim 13, Johannesson discloses a communication system (Figures 1-5, and Abstract) comprising a first communication network having a first Mobile Country Code (MCC) associated with a first country, a second communication network having a second MCC associated with a second country (Figures 1-5, page 2, lines 5-10, page 4, lines 14-31, and page 7, lines 5-16, note that the border of a country inherently comprises two counties where the first PLMN serves the first country and the another PLMN serves the second country. Further note that networks selection of a PLMN includes mobile county code, hence the first network has first MCC, and the second network has a second MCC);

one or more mobile stations which are operable with the first and the second communication networks (Figures 1-2, and page 3, line 21 through page 4, line 12, mobile station 10");

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the one or more mobile stations having the first communication network designated as its home communication network (Figures 1-2, and 5, and page 4, lines 4-31, and page 7, lines 5-16, ); the one or more mobile stations being operative to

select and operate with the second communication network having the second MCC (Figures 3-5, page 7, lines 5-16, page 4, lines 4-21, and page 5, lines 4-25, "scan and search for a better PLMN", "select a better PLMN", "MCC list", "PLMNs within other countries");

set and run a periodic home network timer while operating with the second communication network (page 1, lines 14-22 and page 6, lines 22-23, "PLMN selection", "scanning for a PLMN other than the registered PLMN (RPLMN) which is presently serving the mobile station. This selection of a PLMN . . . by expiration of a home public land mobile network (HPLMN) timer", "a preferred public land mobile network of the mobile station 10 (for example, a home PLMN)", note that a PLMN timer is used to search for a preferred network and the preferred network is e.g., a home PLMN, thus the scanning process for home PLMN takes place while operating with a non-home PLMN (the communication network having the visiting MCC));

after each expiration of the periodic home network timer (page 1, lines 14-23 and page 6, lines, 27-29, "the search could be initialed by a timer", Further note that the applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant's remarks)),

scan to identify a plurality of communication networks in a coverage area within which the mobile station is operating (page 4, lines 4-21, "scan and search for a better PLMN"); if the first communication network having the first MCC is identified as being available by the scanning, select and operate with the first communication network (Figure 4, and page 6, lines

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18-30, "once the preferred PLMN is found, the mobile station changes to the preferred PLMN at step 70", note that once a preferred public land mobile network of the mobile station 10, e.g., a home PLMN associated with one of the provided mobile country codes is identified, the mobile station searches for the home PLMN by scanning for the PLMN, and selects and operates with the home communication network (HPLMN)); and otherwise, if the second communication network having the second MCC is identified as being available by the scan, select and operate with the second communication network having the second MCC (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a non-home PLMN (PLMN B), and later when the home PLMN becomes available, it selects the home-PLMN. Further note that non-home network having the visiting MCC is inherently identified by the scanning as described on page 6 (mobile station receives at step 55 the mobile country codes of neighboring countries)).

Johannesson does not specifically disclose receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks.

Zhao discloses receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks (paragraph 0045, "scanning . . . performed . . . which receives a system identification (SID), a Mobile Country Code (MCC), and Mobile Network Code (MNC)").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Johannesson by incorporating the teachings of Zhao and consequently providing receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks, motivation being for the purpose of allowing the selection process to compare the list of MNC and MCC pairs and accurately identify the home MCC network.

Referring to claim 14, the combination of Johannesson/Zhao discloses the communication system of claim 13, and further disclose the first country shares a common border with the second country (Figures 1 and 5, and page 2, lines 1-10).

Referring to claim 17, the combination of Johannesson/Zhao discloses the communication system of claim 13, and further disclose the communication networks comprise Public Land Mobile Networks (PLMNs) (Figures 1-5, and page 2, lines 18-28).

Referring to claim 18, the combination of Johannesson/Zhao discloses the communication system of claim 13, and further the communication networks are operative in accordance with Global Systems for Mobile Communications (GSM) (page 3, lines 20-30).

Referring to claim 19, Johannesson discloses a method of selecting a communication network by a mobile station associated with a home communication network having a home mobile country code (MCC) associated with a first country (figure 5, page 2, lines 14-28, and

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page 4, lines 14-20, note that first country refers to country x in figure 5 and second country is the country y in figure 5), the method comprising:

selecting and operating with a communication network having a visiting MCC associated with a second country which shares a border with the first country (Figures 3-4, and page 5, lines 4-25, "select a better PLMN", "MCC list", "PLMNs within other countries", "country x", "country y", note that a border separates country x from country y (100));

setting and running a periodic Home Public Land Mobile Network (HPLMN) timer while operating with the communication network having the visiting MCC (page 1, lines 14-23 and page 6, lines, 27-29), after each expiration periodic HPLMN timer while operating with the communication network having the visiting MCC (page 1, lines 14-23 and page 6, lines, 27-29, "the search could be initialed by a timer", Further note that the applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant's remarks));

scanning to identify a plurality of communication networks in a coverage area within which the mobile station is operating (page 4, lines 4-21, "scan and search for a better PLMN"); and

if the home communication network having the home MCC is identified as being available by the scanning, selecting and operating with the home communication network (Figure 4, and page 6, lines 18-30, "once the preferred PLMN is found, the mobile station changes to the preferred PLMN at step 70", note that once a preferred public land mobile network of the mobile station 10, e.g., a home PLMN associated with one of the provided mobile country codes is identified, the mobile station searches for the home PLMN by scanning for the PLMN, and selects and operates with the home communication network (HPLMN)), and

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otherwise, if the communication network having the visiting MCC is identified as being available by the scanning, selecting and operating with the communication network having the visiting MCC (figures 4-5, page 6, line 18 through page 7, line 16, note that in the three PLMN of figure 5, the mobile station is moving away from its HPLMN and approaching a non-home PLMN (PLMN B), and once the mobile station enters a coverage area outside the its HPLMN, then it selects a non-home PLMN (PLMN B), and later when the home PLMN becomes available, it selects the home-PLMN. Further note that non-home network having the visiting MCC is inherently identified by the scanning as described on page 6 (mobile station receives at step 55 the mobile country codes of neighboring countries)).

Johannesson does not specifically disclose receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks.

Zhao discloses receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks (paragraph 0045, "scanning . . . performed . . . which receives a system identification (SID), a Mobile Country Code (MCC), and Mobile Network Code (MNC)").

It would have been obvious to one of the ordinary skills in the art at the time of invention to modify the system of Johannesson by incorporating the teachings of Zhao and consequently providing receiving, from the step of scanning, a plurality of mobile network code (MNC) and MCC pairs associated with the plurality of communications networks, motivation being for the purpose of allowing the selection process to compare the list of MNC and MCC pairs and accurately identify the home MCC network.

Referring to claim 24, the combination of Johannesson/Zhao discloses the method of claim 19, and further disclose the communication networks comprise Public Land Mobile Networks (PLMNs) (Figures 1-5, and page 2, lines 18-28).

Referring to claim 25, the combination of Johannesson/Zhao discloses the method of claim 19, and further disclose the communication networks are operative in accordance with Global Systems for Mobile Communications (GSM) (page 3, lines 20-30).

Referring to claims 3, 9, and 15 and the combination of Johannesson/Zhao discloses the method, mobile station and system of claims 1, 7, and 13 and further disclose the periodic home network timer comprises a Home Public Land Mobile Network (HPLMN) timer (page 1, lines 14-23 and page 6, lines, 27-29, "the search could be initialed by a timer", Further note that the applicant admits that a HPLMN timer is well known in the art (see page 9 of applicant's remarks)).

## **Response to Arguments**

4. Applicant's arguments with respect to independent claims 1, 7, 13 and 19 have been fully considered but they are not persuasive.

In response to applicant's arguments that Johannesson fails to teach "setting and running a periodic home network timer while operating with the communication network having the visiting MCC", the examiner respectfully disagrees and submits that although the claims are Art Unit: 2617

interpreted in light of the specification, limitations from the specification are not read into the claims. See In re Van Geuns, 988 F.2d 1.181,26 USPO2d 1057 (Fed. Cir. 1993). Johansson's teachings of "scanning for a PLMN other than the registered PLMN (RPLMN)" and "This selection of a PLMN . . . by expiration of a home public land mobile network (HPLMN) timer" clearly teaches the concept of setting and running a periodic home network timer while operating with the communication network having the visiting MCC (see page 1, lines 14-22 and page 6, lines 22-23, "PLMN selection", "scanning for a PLMN other than the registered PLMN (RPLMN) which is presently serving the mobile station. This selection of a PLMN . . . by expiration of a home public land mobile network (HPLMN) timer", "a preferred public land mobile network of the mobile station 10 (for example, a home PLMN)", also note that a PLMN timer is used to search for a preferred network and the preferred network is e.g., a home PLMN, thus the scanning process for home PLMN takes place while operating with a non-home PLMN (the communication network having the visiting MCC)). Johansson further disclose the concepts of scanning to identify a plurality of communication networks in a coverage area within which the mobile station is operating (which is triggered by each expiration of a periodic home network timer); and receiving, from the step of scanning, a plurality of MNC and MCC pairs associated with the plurality of communication networks (please see Johannesson, page 4, lines 4-21, Figure 4, and page 6, lines 18-30, "scan and search for a better PLMN . . . upon . . . expiration of the HPLMN timer", "once the preferred PLMN is found, the mobile station changes to the preferred PLMN at step 70", "a preferred public land mobile network of the mobile station 10 (for example, a home PLMN)").

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Conclusion

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5. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Fred A. Casca whose telephone number is (571) 272-7918. The

examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lester Kincaid, can be reached at (571) 272-7922. The fax number for the

organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DUC M. NGUYEN
SUPERVISORY PRIMARY EXAMINES

Quyell

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